



Ohio Attorney General's Office  
Bureau of Criminal Investigation  
Investigative Report



2022-1726

Officer Involved Critical Incident – 15266 Gilchrist Rd., Mt.  
Vernon (L)

**Investigative Activity:** Document Review  
**Involves:** Delaware County Sheriff's Office (O)  
**Date of Activity:** 09/27/2022  
**Author:** SA John P. Tingley, #154

**Narrative:**

On Tuesday, September 27, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent John Tingley reviewed the Use of Force Policy utilized by the Delaware County Sheriff's Office (DCSO) at the time of the officer-involved critical incident. The DCSO policy is attached to this Investigative Report for further review.

**Attachments:**

Attachment # 01: 2022-1726 DCSO USE OF FORCE POLICY

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## Use of Force

### 300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this office is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the deputy or another person.

**Force** - Includes using a weapon to gain compliance, and physical efforts, tactics, chemical agents, or weapons used to control, restrain, or overcome the resistance of another. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**Totality of the circumstances** - All facts and circumstances known to the deputy at the time, taken as a whole, including the conduct of the deputy and the subject leading up to the use of force.

### 300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Deputies are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Deputies must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Delaware County Sheriff's Office recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting deputies with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

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#### 300.2.1 DUTY TO INTERCEDE AND REPORT

Any deputy present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, regardless of rank, position or affiliation, intercede to prevent the use of unreasonable force.

Any deputy who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances shall report these observations to a supervisor.

See the Personnel Complaints and Anti-Retaliation policies for reporting and protections provided to employees for more information.

#### 300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each deputy should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

### **300.3 USE OF FORCE**

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

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#### 300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any deputy who has reasonable cause to believe that the person to be arrested has committed a crime or public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. A deputy who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested, nor shall a deputy be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape or to overcome resistance.

#### 300.3.2 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, deputies should use de-escalation strategies and techniques. Such strategies and techniques include taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

#### 300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to deputies or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.
- (c) Deputy/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with deputy commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the deputy.
- (l) Potential for injury to deputies, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.
- (n) The risk and reasonably foreseeable consequences of escape.

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- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

#### 300.3.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies may only apply those pain compliance techniques for which they have successfully completed office-approved training. Deputies utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the Individual can comply with the direction or orders of the deputy.
- (c) Whether the Individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the deputy determines that compliance has been achieved.

#### 300.3.5 CAROTID CONTROL HOLD

Carotid control holds or other vascular neck restriction techniques are designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck.

The Delaware County Sheriff's Office prohibits the use of carotid control holds or other vascular neck restriction techniques and does not train deputies on the use of these techniques.

#### 300.3.6 CHOKEHOLDS

A chokehold is a technique that applies direct pressure to the throat, windpipe, or airway of an individual with the intent to reduce or prevent the intake of air.

The use of chokeholds is prohibited with the exception to those circumstances where deadly force is authorized and is subject to the following:

- (a) At all times during the application of the chokehold, the response of the individual should be monitored. The chokehold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the chokehold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The deputy shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to a chokehold and whether the individual lost consciousness as a result.

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- (d) Any deputy attempting or applying the chokehold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the chokehold shall be thoroughly documented by the deputy in any related reports.

#### **300.3.7 USE OF FORCE TO SEIZE EVIDENCE**

In general, deputies may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. Deputies shall not use a chokehold, carotid control hold or any lesser contact with the throat or neck area of an individual in order to prevent the destruction of evidence or contraband by ingestion.

#### **300.4 WEAPON USED TO GAIN COMPLIANCE**

Deputies should only point a firearm or other weapon at a person when it is objectively reasonable. The most significant factor in establishing objective reasonableness when pointing a weapon at a person is a reasonable perception of the threat of death or serious physical harm to a deputy or the public. Deputies should consider the totality of the circumstances known at the time of the incident, including but not limited to the following factors:

- The severity of the call or offense and the subject's behavior
- Proximity of weapons
- Prior knowledge of the subject's propensity for violence

Whenever a deputy draws or exhibits a weapon and it is accompanied with verbal commands or additional actions that uses the weapon to gain or attempt to gain the compliance of a subject, the following procedures shall be followed:

- The involved deputy should notify a supervisor of the incident as soon as practicable.
- A weapon used to gain compliance form shall be completed.
- A case report shall be completed by the involved deputy.

Examples of instances where a weapon was used to gain or attempted to gain compliance may include:

- Shaking a can of oleoresin capsicum (OC)
- Showing the laser or "arc display" of a conducted energy weapon (CEW)
- Drawing and extending an expandable baton at an individual
- Drawing a firearm, even at "low-ready" while giving a subject additional verbal commands

Instances where a firearm or other weapon is drawn and exhibited in unoccupied areas (i.e., building searches) does not apply and is not considered a weapon used to gain compliance.

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During incidents where more than one deputy uses a weapon in order to gain compliance, the primary deputy will generally complete the case report and all other deputies using a weapon to gain compliance shall complete a supplement.

If the use of a weapon to gain compliance results in the use of force with that weapon, this subsection does not apply and all use of force procedures will be followed.

#### **300.5 DEADLY FORCE APPLICATIONS**

When reasonable, the deputy shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the deputy has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

- (a) A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) A deputy may use deadly force to stop a fleeing subject when the deputy has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the deputy reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if a deputy reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the deputy or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the deputy believes the individual intends to do so.

##### **300.5.1 MOVING VEHICLES**

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, deputies should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others.

Deputies should not shoot at any part of a vehicle in an attempt to disable the vehicle.

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#### **300.6 REPORTING THE USE OF FORCE**

Any use of force by a member of this office shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The deputy should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Office may require the completion of additional report forms, as specified in office policy, procedure or law.

[See attachment: Use of Force Incident Report Form](#)

##### **300.6.1 NOTIFICATIONS TO SUPERVISORS**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable deputy to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the Conducted Energy Weapon (CEW) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

#### **300.7 MEDICAL CONSIDERATION**

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the deputy's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel, at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another deputy and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling deputy shall ensure that any person providing medical care or receiving custody of a person

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following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the deputy reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

#### **300.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved deputies. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
  1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a property or other report.
  3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
  1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.

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1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

#### **300.9 TRAINING**

Deputies will receive periodic training on this policy and demonstrate their knowledge and understanding, at least annually, including use of deadly force, use of force and use of deadly force reporting, and use of force and use of deadly force reviews/investigations. Deputies should also receive training on when to intercede on excessive force instances.

Subject to available resources, deputies should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

#### **300.10 USE OF FORCE ANALYSIS**

At least annually, the Use of Force Review Board chairperson shall prepare an analysis report on use of force incidents. The report shall be submitted to the Sheriff. The report should not contain the names of deputies, suspects or case numbers, and shall include:

- (a) The date and time of incidents
- (b) Types of encounters resulting in the use of force
- (c) The identification of any trends or patterns related to race, age and gender of subjects involved.
- (d) The identification of any trends or patterns resulting in injury to any person including employees.
- (e) Impact of findings on policies, practices, equipment, and training.

## Attachments

## **Use of Force Incident Report Form (003).pdf**

# Delaware County Sheriff's Office Use of Force Incident Report

Report Number \_\_\_\_\_

CAD No. \_\_\_\_\_

Date and Time Occurred: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Use this form any time a law enforcement officer or corrections officer uses:

- Any empty hand technique,
- Less than lethal weapon or other object used as a less than lethal weapon on a person
- Discharges a firearm at or in the direction of a person
- Any other lethal weapon or object used as a lethal weapon

Does not include:

- Un-holstering a firearm and pointing it at a person
- Displaying any other type of lethal or less than lethal weapon or device

No. of officers from outside agency that applied force: \_\_\_\_\_

Did the officer(s) approach the subject(s):  Yes  No

Other agency ORI: \_\_\_\_\_

Supervisor or OIC present at or consulted prior to use of force:  Yes  No

Was this an ambush incident?  Yes  No

Initial Contact Circumstances:

- |  |   |
|--|---|
| <input type="checkbox"/> Domestic Disturbance  | <input type="checkbox"/> Routine Patrol/On-View (Other Than Traffic)          |
| <input type="checkbox"/> Responding to Other Unlawful or Suspicious Activity         | <input type="checkbox"/> Traffic Stop   |
| <input type="checkbox"/> Mass Demonstration/Civil Disorder (Riot, Mass Disobedience) | <input type="checkbox"/> Service of a Court Order                             |
| <input type="checkbox"/> Follow Up Investigation                                     | <input type="checkbox"/> Warrant Service                                      |
| <input type="checkbox"/> Medical (other than Mental Health) or Welfare Assistance    | <input type="checkbox"/> Raid   |
| <input type="checkbox"/> Request for/Handling Person with Mental Illness             | <input type="checkbox"/> Standoff with Subject inside a Building or Residence |
|  | <input type="checkbox"/> Handling, Transporting, Custody of Prisoners         |
|  | <input type="checkbox"/> Other Circumstances                                  |

Most serious observed offense committed by subject (ORC): \_\_\_\_\_

# Use of Force Incident Report

Subject Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_ Sex: \_\_\_\_ SSN: \_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

Height: \_\_\_\_ Weight: \_\_\_\_ Race: \_\_\_\_\_ Did subject resist?  Yes  Armed  No

## Type of Injury:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> None                                | <input type="checkbox"/> Loss of Teeth         | <input type="checkbox"/> Canine Bite  |
| <input type="checkbox"/> Apparent Broken Bones               | <input type="checkbox"/> Unconsciousness       | <input type="checkbox"/> Loss or Partial Loss of<br>Finger, Toe, Arm, Leg, etc. |
| <input type="checkbox"/> Possible Internal Injury            | <input type="checkbox"/> Other Major Injury    | <input type="checkbox"/> Possible Cardiac Event                                 |
| <input type="checkbox"/> Severe<br>Laceration/Puncture Wound | <input type="checkbox"/> Apparent Minor Injury | <input type="checkbox"/> Death  |
|  | <input type="checkbox"/> Gunshot Wound         |   |

Did the subject claim injury?  Yes  No

Was the injury visible?  Yes  No

Did the subject receive medical treatment?  Yes  No

Perceived threat directed at:  Law Enforcement  Another Party  Both

## Level of resistance (select all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Nonviolent passive resistance                           | <input type="checkbox"/> Resisting being handcuffed or arrest                      |
| <input type="checkbox"/> Failing to comply to verbal commands                    | <input type="checkbox"/> Reaching for officer's weapon                             |
| <input type="checkbox"/> Psychological intimidation (nonverbal threatening cues) | <input type="checkbox"/> Firearm displayed at an officer or another                |
| <input type="checkbox"/> Deadweight  | <input type="checkbox"/> Chemical agent used against an officer or another         |
| <input type="checkbox"/> Attempt to escape/flee from custody                     | <input type="checkbox"/> Electronic control weapon used against officer or another |
| <input type="checkbox"/> Pulling away  | <input type="checkbox"/> Barricading self  |
| <input type="checkbox"/> Pushing officer or another                              | <input type="checkbox"/> Using an edged weapon against an officer or another       |
| <input type="checkbox"/> Intentionally spitting or bleeding on an officer        | <input type="checkbox"/> Throwing an article or object at an officer               |
| <input type="checkbox"/> Wrestling officer or another                            | <input type="checkbox"/> Other weapon displayed                                    |
| <input type="checkbox"/> Punching/kicking officer or another                     | <input type="checkbox"/> Other weapon used   |
| <input type="checkbox"/> Verbally threatening officer                            | <input type="checkbox"/> Directing vehicle at an officer or another                |
| <input type="checkbox"/> Verbally threatening others                             | <input type="checkbox"/> None  |
| <input type="checkbox"/> Threatening self  |  |

Subject Impairment (physical or mental):  Yes  No

# Use of Force Incident Report

Officer Name: \_\_\_\_\_ Unit No. \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_ Race: \_\_\_\_\_ Height: \_\_\_\_ Weight: \_\_\_\_\_  
Total Tenure: \_\_\_\_\_  Full-time (LE)  Part-time (LE)  Full-time (CO)  Part-time (CO)  Uniform/Insignia  
 Plain clothes only  On-duty at time of incident

Officer's Response (select all that apply):

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Restraining Hold   | <input type="checkbox"/> Flashlight Or Other Blunt Instrument Used  | <input type="checkbox"/> Vehicle Used                    |
| <input type="checkbox"/> Pressure Point   | <input type="checkbox"/> Canine Used                                | <input type="checkbox"/> Handgun Fired                   |
| <input type="checkbox"/> Balance Displacement   | <input type="checkbox"/> Electronic Control Device (ECD) Discharged | <input type="checkbox"/> Rifle Fired                     |
| <input type="checkbox"/> Take Down  | <input type="checkbox"/> Rubber Bullets Used                        | <input type="checkbox"/> Shotgun Fired                   |
| <input type="checkbox"/> Other Empty Hand Technique Used                              | <input type="checkbox"/> Bean Bags Used                             | <input type="checkbox"/> Other Firearm Fired             |
| <input type="checkbox"/> Chemical Agent/Spray (Oleoresin Capsicum, Pepper, Etc.) Used | <input type="checkbox"/> Other Impact Projectile Used               | <input type="checkbox"/> Other Weapon (Non-Firearm) Used |
| <input type="checkbox"/> Baton  | <input type="checkbox"/> Flash Bang Used                            | <input type="checkbox"/> Explosive Device Used           |
|   |   | <input type="checkbox"/> Other Force Type Used           |

Officer injury type: Type of Injury:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> None                             | <input type="checkbox"/> Loss of Teeth         | <input type="checkbox"/> Canine Bite   |
| <input type="checkbox"/> Apparent Broken Bones            | <input type="checkbox"/> Unconsciousness       | <input type="checkbox"/> Loss or Partial Loss of Finger, Toe, Arm, Leg, etc. |
| <input type="checkbox"/> Possible Internal Injury         | <input type="checkbox"/> Other Major Injury    | <input type="checkbox"/> Possible Cardiac Event                              |
| <input type="checkbox"/> Severe Laceration/Puncture Wound | <input type="checkbox"/> Apparent Minor Injury | <input type="checkbox"/> Death   |
|   | <input type="checkbox"/> Gunshot Wound         |  |

Video:  Body Camera  Dashboard Camera  Both Body and Dashboard Cameras  No, not provided by agency  No, provided by agency by unavailable (not used during incident)  No, provided by not working

Related Criminal Incident Report: \_\_\_\_\_

Justifiable homicide circumstances:

## **Criminal Killed by Police Officer:**

- Criminal Attacked Police Officer and That Officer Killed Criminal
- Criminal Attacked Police Officer and That Criminal Killed By another Police Officer
- Criminal Attacked Civilian
- Criminal Attempted Flight from Crime
- Criminal Resisted Arrest

## **Criminal Killed by Private Citizen:**

- Criminal Attacked By Civilian
- Criminal Attempted Flight from Crime
- Criminal Killed In Commission of Crime
- Criminal Resisted Arrest
- Criminal Attacked Police Officer and Criminal Killed By Civilian Aiding Police Officer
- Unable To Determine/Not Enough Information

# Delaware County Sheriff's Office Use of Force Incident Report

Report Number \_\_\_\_\_

CAD No. \_\_\_\_\_

Date and Time Occurred: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

## For DCSO internal use: Weapon used to gain compliance only

Subject Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_ Sex: \_\_\_\_ SSN: \_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

Height: \_\_\_\_ Weight: \_\_\_\_ Race: \_\_\_\_ Did subject resist?  Yes  Armed  No

Level of resistance (select all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Nonviolent passive resistance                           | <input type="checkbox"/> Threatening self  |
| <input type="checkbox"/> Failing to comply to verbal commands                    | <input type="checkbox"/> Resisting being handcuffed or arrest                      |
| <input type="checkbox"/> Psychological intimidation (nonverbal threatening cues) | <input type="checkbox"/> Reaching for officer's weapon                             |
| <input type="checkbox"/> Deadweight  | <input type="checkbox"/> Firearm displayed at an officer or another                |
| <input type="checkbox"/> Attempt to escape/flee from custody                     | <input type="checkbox"/> Chemical agent used against an officer or another         |
| <input type="checkbox"/> Pulling away  | <input type="checkbox"/> Electronic control weapon used against officer or another |
| <input type="checkbox"/> Pushing officer or another                              | <input type="checkbox"/> Barricading self  |
| <input type="checkbox"/> Intentionally spitting or bleeding on an officer        | <input type="checkbox"/> Using an edged weapon against an officer or another       |
| <input type="checkbox"/> Wrestling officer or another                            | <input type="checkbox"/> Throwing an article or object at an officer               |
| <input type="checkbox"/> Punching/kicking officer or another                     | <input type="checkbox"/> Other weapon displayed                                    |
| <input type="checkbox"/> Verbally threatening officer                            | <input type="checkbox"/> Other weapon used   |
| <input type="checkbox"/> Verbally threatening others                             | <input type="checkbox"/> Directing vehicle at an officer or another                |
|  | <input type="checkbox"/> None  |

Subject Impairment (physical or mental):  Yes  No

Officer Name: \_\_\_\_\_ Unit No. \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_ Race: \_\_\_\_\_ Height: \_\_\_\_ Weight: \_\_\_\_\_

\_\_\_\_ Total Tenure: \_\_\_\_\_  Full-time (LE)  Part-time (LE)  Full-time (CO)  Part-time (CO)  Uniform/Insignia

Plain clothes only  On-duty at time of incident